

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 29 1979
 Returned to applicant for correction JUN 14 1979
 Corrected application filed _____
 Map filed JUL 16 1979

The applicant Bertha Gardner c/o Boyack Surveying, Inc.
582½ West Cedar Street, of Elko
Street and No. or P.O. Box No. City or Town
Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well
Name of stream, lake or other source.
2. The amount of water applied for is 6.0 cfs second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet _____ acre-feet
3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated) 640 acres
 - (b) Stockwater (state number and kinds of animals to be watered) _____
 - (c) Other use (describe fully under "No. 12. Remarks") _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____
5. The water is to be diverted from its source at the following point: NW¼SW¼ Section 16, T28N,
R58E, MDB&M, at a point from which the SW corner of said section 16
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
bears S 26° 21' 00" W 2489.00 feet.
it should be stated.
6. Place of use All of section 16, T28N, R58E, MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pipelines and sprinkler system
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works. \$50,000
10. Estimated time required to construct works. 3 years
11. Estimated time required to complete the application to beneficial use. 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Bertha Gardner

By s/ Alan S. Boyack

Alan S. Boyack

Compared lp / ss

bc/bl

582½ West Cedar Street

Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before August 20, 1982

Proof of completion of work shall be filed before September 20, 1982

Application of water to beneficial use shall be made on or before August 20, 1985

Proof of the application of water to beneficial use shall be filed on or before September 20, 1985

Map in support of proof of beneficial use shall be filed on or before September 20, 1985

Commencement of work filed AUG 23 1982
 Completion of work filed OCT 22 1987
 Proof of beneficial use filed OCT 22 1987
 Cultural map filed 12696
 Certificate No. 12696 Issued MAR 29 1991
 Recorded Bk Page
 County Recorder

IN TESTIMONY WHEREOF, I PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 20th day of AUGUST

A.D. 19 81

Peter G. Morros
 State Engineer